

Appln No. 09/711,648
Amdt date March 27, 2006
Reply to Office action of December 27, 2005

REMARKS/ARGUMENTS

Claims 1-20, 23-28, 30-35, 39 and 42-47 remain pending in this application, and Applicant submits that all of these pending claims are in condition for allowance. Applicant therefore respectfully request a timely indication of allowance.

In the Final Rejection dated December 27, 2005, the Examiner rejected claims 1, 5-12, 17-20, 23, 27, 28, 32, 33, 39, 42 and 43 under 35 U.S.C. § 103(a) as allegedly obvious over Edwards, et al. (U.S. Patent No. 5,435,805)("Edwards '805") in view of Gough, et al. (U.S. Patent No. 5,810,804) and further in view of Edwards, et al. (U.S. Patent No. 5,554,110)("Edwards '110"). In so rejecting, the Examiner argues that Edwards '110 discloses "a needle that extends distally beyond the distal end of the tip section in a direction along the longitudinal axis of the tip section." Office action, page 4. However, Edwards '110 fails to disclose an injection needle having a distal end that can extend distally out the distal face of the catheter body in a direction along the longitudinal axis of the catheter body, as recited in independent claims 1, 9 and 23. Rather, Edwards '110 discloses a stylet guide housing having a curved passageway through which a stylet is extended and notes that the details of the stylet guide housing are described in U.S. Patent Application Serial No. 08/012,370, which corresponds to Edwards, et al. (U.S. Patent No. 5,370,675)("Edwards '675"). Column 6, line 67 through Column 7, line 5. As discussed in response to the previous Office action, Edwards '675 discloses stylet ports located in the side wall of the stylet guide housing and proximal the distalmost end of the probe. As such, Edwards '110 fails to teach or suggest an injection needle having a distal end that can extend distally out the distal face of the catheter body in a direction along the longitudinal axis of the catheter body, as recited in independent claims 1, 9 and 23. Accordingly, independent claims 1, 9 and 23, and all claims dependent therefrom, including claims 1-20, 23-28, 30-35, 39 and 42-47, are allowable over Edwards '805, Gough and Edwards '110.

The Examiner also rejected claims 2-4 and 24-26 under 35 U.S.C. § 103(a) as allegedly obvious over Edwards '805. However, each of claims 2-4 and 24-26 depends from either claim 1

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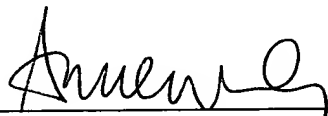
or claim 23, and Edwards '805 fails to disclose an injection needle having a distal end that can extend distally out the distal face of the catheter body in a direction along the longitudinal axis of the catheter body, as recited in those claims. Therefore, claims 2-4 and 24-26 are allowable over Edwards '805.

Finally, the Examiner rejected claims 12-16, 30, 31, 34, 35 and 44-47 under 35 U.S.C. § 103(a) as allegedly obvious over Edwards '805 in view of Edwards, et al. (U.S. Patent No. 5,599,294)("Edwards '294") and further in view of Edwards '675. However, each of claims 12-16, 30, 31, 34, 35 and 44-47 depends from either claim 1, 9 or 23, and none of Edwards '805, Edwards '294 and Edwards '675 disclose an injection needle having a distal end that can extend distally out the distal face of the catheter body in a direction along the longitudinal axis of the catheter body, as recited in those claims, as recited in those claims. Accordingly, claims 12-16, 30, 31, 34, 35 and 44-47 are allowable over Edwards '805, Edwards '294 and Edwards '675.

In view of the above remarks, Applicant submits that all of pending claims 1-20, 23-28, 30-35, 39 and 42-47 are in condition for allowance. Applicant therefore respectfully requests a timely indication of allowance. However, if there are any remaining issues that can be addressed by telephone, Applicant invites the Examiner to contact Applicant's counsel at the number indicated below.

Respectfully submitted,
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